IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

THURSDAY, THE 18TH OCTOBER 2007 / 26TH ASWINA 1929

CRL.REF.No. 15 of 2007

SC.175/2007 AND 538/2006 OF IST ADDL.SESSIONS COURT, THRISSUR
CP.67/2006 of J.M.F.C.,KUNNAMKULAM

APPELLANT/ACCUSED;

REPORT FROM THE IST ADDITIONAL SESSIONS JUDGE, THRISSUR.

RESPONDENTS:

STATE OF KERALA,
REP. BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. M.S. BREEZ

THIS CRIMINAL REFERENCE HAVING COME UP FOR ADMISSION ON 18/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

R.BASANT, J

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Crl.Ref.No.15 Of 2007

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Dated this the 18th day of October, 2007

ORDER

This Criminal Reference has been registered on the basis of a report dated 23.7.07 received from the I Additional Sessions Judge-Thrissur. A purely inadvertent error has been committed in describing the name of the absconding accused in the relevant documents in C.P.No.67/06 of Judicial First Class Magistrate Court, Kunnamkulam which after committal is numbered as S.C.No.175/07 before the Sessions Court, Trichur. Actually it was the 2nd accused who was absconding and the case was split up. But while passing the order of committal and registering the split up case, error has been committed in describing the name of the accused. Inasmuch as the courts below are not able to carry out the corrections in view of Section 362 Cr.P.C., this reference is made for issue of appropriate directions. I am satisfied that directions can be issued.

2. This reference is accordingly answered as requested. There shall be directions to the learned Judicial First Class Magistrate, Kunnamkulam and the I Additional Sessions Judge, Thrissur to carry out the necessary corrections. The learned Magistrate shall carry out the correction and inform the learned Sessions Judge whereupon

necessary further corrections shall be made in all records by the Sessions Court.

This reference is answered accordingly. Communicate this order to both courts forthwith.

(R.BASANT, JUDGE)

sj

/TRUE COPY/

P.A.TO JUDGE